

IN THE UNITED STATE PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Richard C. Vogel

Serial No.: 09/458,280

Filed: December 10, 1999

For: THERAPEUTIC APPARATUS FOR
TREATING ULCERS

MAIL STOP 313 (c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

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Examiner: Danton D. Demille

Group Art Unit: 3764

Attorney Docket No.: VAC.331 A

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37 C.F.R. § 1.8

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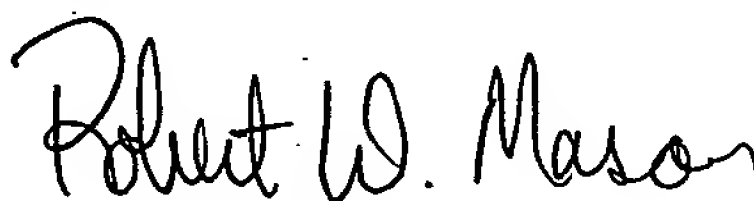
February 10, 2005
Date


Cherie Ridout

INFORMATION DISCLOSURE STATEMENT

In compliance with the duty of candor and good faith to disclose all information known to be material to patentability under 37 C.F.R. § 1.56, the Examiner is requested to consider the following reference in accordance with 37 C.F.R. §§ 1.97-98 and make it of record in the above-referenced application.

Respectfully submitted,



Robert W. Mason
Reg. No. 42,848
Kinetic Concepts, Inc.
P.O. Box 659508
San Antonio, TX 78265-9508
Telephone: (210) 255 6271
Fax: (210) 255 6969

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 1 of 7

Application Number	09/458,280
Filing Date	December 10, 1999
First Named Inventor	VOGEL, Richard C.
Art Unit	3764
Examiner Name	DEMILLE, Danton D.
Attorney Docket Number	VAC.331A.US

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 1355846	10-19-1920	Rannells	Figs. 1,2
		US- 2547758	04-03-1951	Keeling	Fig. 2
		US- 2632443	03-24-1953	Leshner	Figs. 1-3
		US- 2682873	07-06-1954	Evans et al.	Fig. 2
		US- 2969057	01-24-1961	Simmons	Figs. 1-6
		US- 3367332	02-06-1968	Groves	Figs. 1, 4
		US- 3648692	03-14-1972	Wheeler	Fig. 1
		US- 3682180	08-08-1972	McFarlane	Fig. 3
		US- 3826254	07-30-1974	Mellor	Fig. 2
		US- 4080970	03-28-1978	Miller	Column 1 - Column 3
		US- 4096853	06-27-1978	Weigand	Column 3, Lines 2-20
		US- 4139004	02-13-1979	Gonzalez	Column 4
		US- 4165748	08-28-1979	Johnson	Fig. 2
		US- 4245630	01-20-1981	Lloyd et al.	Fig. 1
		US- 4261363	04-14-1981	Russo	Figs. 1, 4, 5
		US- 4275721	06-30-1981	Olson	Fig. 1
		US- 4284079	08-18-1981	Adair	Fig. 3
		US- 4297995	11-03-1981	Golub	Fig. 1
		US- 4333468	06-08-1982	Geist	Fig. 2, 4

FOREIGN PATENT DOCUMENTS

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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		AU-550575-A1	08-26-1982	Wright	P.4, lines 7-10	
		EP-0100148	02- 1984	Naylor, et al	Abstract	
		WO 96/05873	02-29-1996	Lina		
		WO 97/18007	05-22-1997	Hunt		
		EP-0161865	11-21-1985	Ward		
		EP-0117632-A2	01-1984	JMcCracken		

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Sheet 2

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Attorney Docket Number	VAC.331A.US

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		Number-Kind Code ² (if known)			
		US- 4373519	02-15-1983	Errede et al.	Column 4
		US-			
		US- 4392853	07-12-1983	Muto	Fig. 11
		US- 4392858	07-12-1983	George et al.	Column 3, Lines 5-58
		US- 4419097	12-06-1983	Rowland	Fig. 8
		US- 4475909	10-09-1984	Eisenberg	Figs. 1, 3, 6
		US- 4480638	11-06-1984	Schmid	Figs. 2, 3
		US- 4525166	06-25-1985	Leclerc	Column 5-6
		US- 4525374	06-25-1985	Vailancourt	
		US- 4540412	09-10-1985	Van Overloop	Column 2
		US- 4543100	09-24-1985	Brodsky	Fig. 4
		US- 4551139	11-05-1985	Plaas et al.	C1, L 66 - C2, L68
		US- 4569348	02-11-1986	Hasslinger	C2, L50 - C4, L 27
		US- 4605399	08-12-1986	Weston et al.	Fig. 3
		US- 4608041	08-26-1986	Nielson	
		US- 4640688	02-03-1987	Hauser	Fig. 2
		US- 4655754	04-07-1987	Richmond et al.	Column 1, Line 39-44
		US- 4733659	03-29-1988	Edenbaum et al.	Fig. 1
		US- 4743232	05-10-1988	Kruger	Figs. 2-4

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		PCT/GB98/02713	09-09-1998	KCI Medical Ltd		
		AU-745271	03-14-2002	KCI Medical Ltd		
		SG-71559	04-16-2002	KCI Medical Ltd		
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		GB-2,333,965 A	08-11-1999	KCI Medical Ltd		
		AU-755396	12-12-2002	KCI Medical Ltd		

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		Number-Kind Code ² (if known)			
		US- 4787888	11-29-1988	Fox	Figs. 1, 4-6
		US- 4826949	05-02-1989	Richmond et al.	Column 1
		US- 4838883	06-13-1989	Matsuura	Fig. 7
		US- 4840187	06-20-1989	Brazier	Column 2, Line 34-42
		US- 4863449	09-05-1989	Therriault et al.	Column 3, Line 45-68
		US- 4872450	10-10-1989	Austad	Column 3-4
		US- 4878901	11-07-1989	Sachse	
		US- 4897081	01-30-1990	Poirier et al.	C3, L25 - C4
		US- 4906233	03-06-1990	Moriuchi et al.	Abstract
		US- 4906240	03-06-1990	Reed et al.	Fig. 1
		US- 4919654	04-24-1990	Kalt	Column 3, Line 8-39
		US- 4941882	07-17-1990	Ward et al.	Column 3, Line 38-64
		US- 4953565	09-04-1990	Tachibana et al.	Fig. 1
		US-			
		US- 4985019	01-15-1991	Michelson	Column 1, Line 47-58
		US- 5037397	08-06-1991	Kalt et al.	Figs. 1, 2, 4, 6
		US- 5100396	03-31-1992	Zamierowski	Figs. 1-10
		US-			
		US- 5167613	12-01-1992	Karami et al.	Figs. 4-5

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		GB-692,578	06-10-1953	Minnesota Min..		
		WO 80/02182	10-16-1980	Moss, James		
		WO/94/20041	09-15-1994	WFU/Argenta, L.		
		DE-295 04 378 U1	09-14-1995	MTG		
		DE-43 06 478 A1	09-08-1994	Wagner, W.		
		CA-2005436	06-30-1990	Kalt, Glenda G.		

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Sheet 4

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		Number-Kind Code ² (if known)			
		US- 5176663	01-05-1993	Svedman et al	C1, L55 - C2, L8
		US- 5232453	08-03-1993	Plass et al.	Fig. 2, 5
		US- 5261893	11-16-1993	Zamierowski	Figs. 1, 13, 16
		US- 5298015	03-29-1994	Komatsuzaki et al.	Abstract
		US- 5344415	09-06-1994	Debusk et al.	Column 2, Line 9 -42
		US- 5358494	10-25-1994	Svedman	Column 2, Line 34-47
		US- 5527293	06-18-1996	Zamierowski	C11, L 62 - C12, L37
		US- 5556375	09-17-1996	Ewall	C3, L62 - C4, L65
		US- 5607388	03-04-1987	Ewall	Column 3-4
		US- 5636643	06-10-1997	Argenta et al.	C6, Lines 18 - 64
		US- 5645081	07-08-1997	Argenta et al.	C4, L28 - C5, L22
		US- 6071267	06-06-2000	Zamierowski	Figs. 1-3
		US- 6135116	10-24-2000	Vogel et al.	Column 9
		US- 20020115951 A1	08-22-2002	Norstream et al.	
		US- 20020120185 A1	08-29-2002	Johnson	Fig. 3
		US- 20020143286 A1	10-03-2002	Tumey	Paragraph 26
		US- 6488643	12-03-2002	Tumey et al.	
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		US- 4,233,969	11-18-1980	Lock, et al.	C2, Lines 25 - 53

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		WO 93/09727				
		GB-2 197 789 A	06-02-1988	Smith Industrie		
		EP-0358 302	03-14-1990	Smith Industrie		
		DE 26 40 413 A1	03 09 1978	Wolf, Richard		

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		Number-Kind Code ² (if known)			
		US- 5,437,622	08-01-1995	Carion, Jean-Pierre	
		US- 6,345,623	02-12-2002	Heaton, K., et al	
		US- 6,553,998	04-29-2003	Heaton, K., et al	
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		US- 5,437,651	08-01-1995	Todd, R., et al	
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		US- 5,092,858	03-03-1992	Benson C.D., et al	
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Sheet 6	of 7	Attorney Docket Number	VAC.331A.US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		LOUIS C. ARGENTA, MD and MICHAEL J. MORYKWAS, PHD; Vacuum-Assisted Closure: A New Method for Wound Control and Treatment: Clinical Experience; Annals of Plastic Surgery, ...	
		SUSAN MENDEZ-EASTMAN, RN; When Wounds Won't Heal, RN January 1998, Volume 61(1); Medical Economics Company, Inc., Montvale, NJ, USA.	
		JAMES H. BLACKBURN, II, MD. et al; Negative-Pressure Dressings as a Bolster for Skin Grafts; Annals of Plastic Surgery, Volume 40, Number 5, May 1998, pages 453-457;	
		JOHN MASTERS; Letter to the editor; British Journal of Plastic Surgery, 1998, Volume 51(3), page 267; Elsevier Science/The British Association of Plastic Surgeons, UK	
		S.E. GREER, et al; The Use of Subatmospheric Pressure Dressing Therapy to Clos Lymphocutaneous Fistulas of the Groin; British Journal of Plastic Surgery (2000), 53	
		GEORGE V. LETSOU, M.D., et al; Stimulation of Adenylate Cyclase Activity in Cultured Endothelial Cells Subjected to Cyclic Stretch; Journal of Cardiovascular Surgery, 31, 1990	
		PCT International Search Report; PCT international application PCT/GB98/02713; June 8, 1999	
		PCT Written Opinion; PCT international application PCT/GB98/02713; June 8, 1999	
		PCT International Examination and Search Report, PCT international application PCT/GB96/02802; Jan. 15, 1998 and April 29, 1997	
		PCT Written Opinion, PCT international application PCT/GB/96/02802; September 3, 1997	

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	09/458,280
		Filing Date	December 10, 1999
		First Named Inventor	VOGEL, Richard C.
		Art Unit	3764
		Examiner Name	DEMILLE, Danton D.
Sheet 7	of 7	Attorney Docket Number	VAC.331A.US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		KOSTYUCHENOK, B.M, et al. ;Vacuum Treatment in the Surgical Management of Purulent Wounds; Vestnik Khirurgi, September 1986	
		DAVYDOV, Yu. A., et al; Vacuum Therapy in the Treatment of Purulent Lactation Mastitis; Vestnik Khirurgi, September 1986	
		YUSUPOV, Yu. N., et al; Active Wound Drainage, Vestnik Khirurgi, Vol. 138, Issue 4, 1987.	
		DAVYDOV, Yu. A., et al; Bacteriological and Cytological Assessment of Vacuum Therapy of Purulent Wounds; Vestnik Khirurgi, October 1988	
		DAVYDOV, Yu. A., et al; Concepts For the Clinical-Biological Management of the Wound Process in the Treatment of Purulent Wounds by Means of Vacuum Therapy; Vestnik Khirurgi	
		Internation Search Report for PCT international application PCT/GB95/01983; November 23, 1995	
		Patent Abstract of Japan; JP4129536; Terumo Corporation; April 30, 1992	

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